

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHERI CLEARWATER, derivatively on
behalf of U.S. BANCORP,

Plaintiff,

v.

No. 1:24-cv-00241-JPC

ANDREW CECERE, TERRY DOLAN,
JODI RICHARD, KATHERINE QUINN,
WARNER L. BAXTER, DOROTHY J.
BRIDGES, ELIZABETH L. BUSE,
KIMBERLY N. ELLISON-TAYLOR,
KIMBERLY J. HARRIS, ROLAND A.
HERNANDEZ, RICHARD P. MCKENNEY,
YUSUF I. MEHDI, JOHN P. WIEHOFF and
SCOTT W. WINE,

Defendants,

and

U.S. BANCORP,

Nominal Defendant.

~~**PROPOSED**~~ **STIPULATED ORDER ON TRANSFER,
WAIVER OF SERVICE AND RESPONSE DEADLINE**

WHEREAS, Plaintiff Cheri Clearwater initiated this action by filing her Complaint in this Court on January 11, 2024;

WHEREAS, the Complaint was served on Nominal Defendant U.S. Bancorp through its registered agent in Delaware on or about January 12, 2024;

WHEREAS, the Complaint has not yet been served on any of the individual Defendants;

WHEREAS, the parties agree that venue for this action is proper in the District of

Delaware;

WHEREAS, the parties wish to enter into a Stipulated Order governing (i) the transfer of this action to the United States District Court for the District of Delaware, (ii) the acceptance of service of the Complaint by the individual Defendants, and (iii) the time for all of the Defendants in this action to respond to the Complaint;

NOW, THEREFORE, IT IS ORDERED that, pursuant to 28 U.S.C. § 1404(a), the action be, and hereby is, transferred to the United States District Court for the District of Delaware; and

IT IS FURTHER AGREED that the individual Defendants waive formal service of process of the Complaint upon any of them; and

IT IS FURTHER AGREED that all Defendants shall have sixty (60) days to move to stay, move to dismiss or otherwise respond to the Complaint following the date of the transfer of the action to the United States District Court for the District of Delaware; and

IT IS FURTHER AGREED that Defendants do not waive any of their defenses and objections to the lawsuit, all of which are expressly preserved.

Dated: January 25, 2024

THE BROWN LAW FIRM, P.C.




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GROSSMAN, LLC**

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Attorneys for Plaintiff

SO ORDERED:



Hon. John P. Cronan, United States District Judge

Dated: January 29, 2024

JONES DAY



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Jules Cantor
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Attorneys for Defendants